Calendar No. 329

100TH CONGRESS
1st Session

SENATE

REPORT
100-168

AUTHORIZING THE ALPHA PHI ALPHA FRATERNITY TO ESTABLISH A MEMORIAL TO MARTIN LUTHER KING, JR. IN THE DISTRICT OF COLUMBIA

SEPTEMBER 24 (legislative day, SEPTEMBER 22), 1987.—Ordered to be printed

---

Mr. FORD, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S. 322]

The Committee on Rules and Administration to which was referred the bill S. 322 to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr. in the District of Columbia having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill as amended do pass.

PURPOSE OF THE BILL

S. 322 is a bill to authorize the Alpha Phi Alpha Fraternity, the oldest black fraternity in the United States, to establish, without cost to the federal government, a memorial in the District of Columbia and its environs to the late Dr. Martin Luther King, Jr.

As originally introduced, the bill would have exempted itself from any other provision of law. The effect of this would have been to create, for this memorial, an exception to Public Law 99-652 (40 U.S.C. 1001 et seq.) approved November 14, 1986, which, in order to conserve the limited space available in the District of Columbia and environs, established conditions and criteria for future memorials. The substitute amendment approved and reported by the Committee, and concurred in by the principal author of the bill, removes the exemptive language and makes S. 322 fully subject to the provisions of P.L. 99-652. It was deemed not only desirable but essential to make no exception to P.L. 99-652, especially so soon

S683-6

after its enactment, even though no one questioned the worthiness and merit of S. 322 as originally drafted.

Moreover, it is expected that upon enactment of S. 322 the necessary activity of fund raising, planning, and design will begin promptly, and the processes of P.L. 99-652 can go forward so that, in effect, no delays will in fact result in the final actions prescribed by law because of the Committee amendment.

When S. 322 was introduced in January, Senator Sarbanes said, "A memorial to Dr. King erected in the Nation's Capital will provide continuing inspiration to all who visit it, particularly to the thousands of students and young people who come to Washington, D.C. every year. These young people have no personal memory of the condition of civil rights in America before Dr. King, nor of the struggle in which he was the major figure. They do understand, however, the importance of that struggle to our Nation's heritage and that much remains to be done."

A letter from Senator Sarbanes dated July 10, 1987, together with the entire floor statement referenced therein, are set forth below.

U.S. SENATE,
Washington, DC, July 10, 1987.

Hon. WENDELL FORD,
Chairman, Senate Committee on Rules and Administration, Russell Senate Building, Washington, DC.

DEAR WENDELL: I am writing to urge the Senate Committee on Rules and Administration to take up S. 322, a bill to authorize the Alpha Phi Alpha fraternity to establish a memorial to Martin Luther King, Jr. on Federal land in the District of Columbia. I introduced this legislation on January 16, 1987; and it currently has 26 cosponsors. Congressman Walter Fauntroy has introduced H.R. 640, a companion measure in the House of Representatives.

The memorial authorized in S. 322 is simply the logical follow-on to the actions already taken to recognize the extraordinary significance of Dr. King in our national life. A monument in the Nation's Capital, outdoors and accessible to the large number of visitors from throughout the United States and the world, is the natural complement to the national holiday commemorating Dr. King's birthday, the National Historical Site in Atlanta, and the magnificent bust in the Capitol building dedicated last year.

I have enclosed my floor statement from January 16, which sets forth the reasons I believe a monument to Dr. King in the National Capital is appropriate, as well as why Alpha Phi Alpha is uniquely suited to take on this task for the fraternity's most esteemed member.

I hope it will be possible for the committee to approve S. 322, and I look forward to working with you toward this end.

Sincerely,

PAUL S. SARBANES.

Enclosure.

[From the Congressional Record, Jan. 16, 1987]

Mr. SARBANES. Mr. President, on January 19, this coming Monday, the United States, for the second time,

will celebrate a national holiday to commemorate the birthday of Dr. Martin Luther King, Jr. When this event was celebrated last year for the first time, it marked a culmination of an 18-year effort to give appropriate recognition to Dr. King as one of our Nation's great leaders, a giant figure in the evolving history of the United States.

In conjunction with last year's celebration, Alpha Phi Alpha, Inc., the oldest black fraternity in the United States, began an effort to establish a Martin Luther King Memorial in the District of Columbia. I am today reintroducing legislation, along with 17 of my colleagues who are joining in cosponsoring: Senators MIKULSKI, HEINZ, BRADLEY, FORD, CHAFEE, PROXMIRE, HOLLINGS, BUMPERS, MOYNIHAN, KENNEDY, BURDICK, LEVIN, GORE, LAUTENBERG, MATSUNAGA, METZENBAUM, and LUGAR. I am joining with them in reintroducing legislation to authorize Alpha Phi Alpha, this very distinguished fraternity, to establish a monument to Martin Luther King, Jr., on Federal land in the District of Columbia. This legislation provides that the monument be established at no cost to the United States, and requires that it be subject to the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Park and Planning Commission.

The Alpha Phi Alpha fraternity, of which Dr. King was a member, having joined on June 22, 1952, at Sigma Chapter in Boston, MA, will coordinate the design and funding of the monument. The Federal and local planning agencies to which I have made reference, the Commission on Fine Arts, the Department of the Interior, and the National Capital Park and Planning Commission shall select the site and approve the design.

Alpha Phi Alpha was founded in 1906 at Cornell University. It now has 700 chapters across the country, and counts among its almost 100,000 members many prominent citizens, including Supreme Court Justice Thurgood Marshall and a number of our Nation's mayors. The fraternity has formally endorsed the Martin Luther King, Jr. Memorial project and has committed its considerable human resources to its development.

Twenty-one years ago, Dr. Martin Luther King, Jr. led 20,000 freedom marchers from Selma to Montgomery, seeking voting rights long denied. Through the long efforts to achieve equal treatment for all Americans, Martin Luther King, Jr., remained devoted to nonviolent means of achieving his goals; and he inspired thousands—indeed millions—to adopt and follow the principles of nonviolence.

A memorial to Dr. King erected in the Nation's capital will provide continuing inspiration to all who visit it, particularly to the thousands of students and young people who come to Washington, DC every year. These young people have no personal memory of the condition of civil rights in America before Dr. King, nor of the struggle in which he was the major figure. They do understand, how-

ever, the importance of that struggle to our Nation's heritage and the fact that much remains still to be done.

Dr. King's wife, Coretta Scott King, said: "Young people in particular need nonviolent role models like him. In many ways, the Civil Rights movement was a youth movement. Young people of all races, many of whom were jailed, were involved in the struggle, and some gave their lives for the cause. Yet none of the youth trained by Martin and his associates retaliated in violence, including members of some of the toughest gangs of urban ghettos in cities like Chicago and Birmingham. This was a remarkable achievement. It had never been done before; it has not been duplicated since."

Mr. President, what we hope is that the young people who visit the monument will come to understand that it recognizes not only the enormous contribution of this great leader, but also two very basic principles for the healthy functioning of our democratic society. One is that change, even very fundamental change, is to be achieved through nonviolent means; that this is the path down which we should go as a nation in resolving some of our most difficult problems. And the other basic principle is that the reconciliation of the races, the inclusion into the mainstream of American life of all its people, is essential to the fundamental health of this Nation. Dr. King preached, taught, and practiced these essential principles, and in doing so gave the Nation outstanding leadership.

I urge my colleagues to support this legislation, and I will be contacting them in the days ahead asking them to join as cosponsors. Congressman WALTER FAUNTROY will introduce a similar bill in the House of Representatives. I am hopeful that we can enact this legislation quickly so that planning for this monument to Dr. Martin Luther King, Jr., on a plot of land in the Nation's Capital in the District of Columbia can proceed forthwith.

COMMITTEE AMENDMENT

The amendment to S. 322 in the nature of a substitute, adopted by the Committee, is as follows:

Strike out everything following the enacting clause and insert the following:

"Section 1. Authority to Establish Memorial.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Subject to subsection (b), the Alpha Phi Alpha Fraternity is authorized to establish a memorial to Martin Luther King, Jr. in the District of Columbia and its environs in accordance with the Act entitled "An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes", approved November 14, 1986 (40 U.S.C. 1001, et seq.), to honor Martin Luther King, Jr.

(2) DEFINITION.—For purposes of paragraph (1), the term "the District of Columbia and its environs" has the same meaning given to such term by section 2(e) of such Act.

(b) EXPENSE TO THE UNITED STATES.—The United States shall not pay any expense of the establishment of the memorial under subsection (a).

Enactment of S. 322 will have no budgetary impact, since no Federal funding is required or authorized; it will make no change in existing law, and will have no regulatory impact. The Committee urges passage of the bill, as amended.

○